

REMARKS

I. Status of the Claims

Claims 1-18 are pending. Applicants cancel claims 1-5, 8-11, and 16-18. Claims 6 and 7 are amended to be in independent form. Claims 12 and 14 are amended to depend from claim 6. New claims 19-22 are original claims 12-15 amended to depend from claim 7. Upon entry of the amendment, claims 6, 7, 12-15, and 19-22 will remain for consideration.

II. Response to the provisional obviousness-type double patenting rejection based on copending Appl. Ser. No. 10/806,503

Applicants traverse the provisional rejection of claim 1 for obviousness-type double patenting based on copending Appl. Ser. No. 10/806,503. The Examiner should reconsider and withdraw this rejection in view of Applicants' cancellation of claim 1.

III. Response to the Rejection under 35 U.S.C. § 102(e) based on Lynch

Applicants note the rejection of claims 1-5, 8-11, and 16-18 as being anticipated by Lynch et al. (U.S. Pat. No. 6,759,361). The Examiner should reconsider and withdraw the rejection because Applicants are cancelling these claims.

IV. Response to the Objection

The Examiner objects to claims 6, 7, and 12-15 as being dependent upon a rejected base claim. Applicants thank the Examiner for his helpful suggestion to rewrite claims 6 and 7 in independent form, incorporating all the limitations of the base claim. In this response, Applicants amend claims 12 and 14 to depend from amended claim 6. New claims 19-22 depend from amended claim 7.

As amended, the claims require either: (1) aluminum phosphate having a phosphorus to aluminum molar ratio of about 0.8:1 to about 1.1:1 (claims 6 and 12-15); or (2) an aluminum phosphate having a surface area of from about 50 to about 250 m²/g (claims 7 and 19-22). Wang fails to disclose processes that use the particularly claimed supports.

V. Conclusion

In view of the amendment and remarks above, Applicants respectfully ask the Examiner to withdraw the objection and the rejection and pass the case to issue. Applicants invite the Examiner to telephone their attorney at (610) 359-2276 if he believes that a discussion of the application might be helpful.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box. 1450, Alexandria, VA 22313-1450 on May 11, 2005.

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Respectfully submitted,
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